

**236 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

CRM No.M-17842 of 2018  
DATE OF DECISION:16.05.2018

Pawan @ Pona @ Mona

...Petitioner

Vs.

State of Haryana

...Respondent

**CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY**

Present: Mr. Bijender Dhankhar, Advocate  
for the petitioner.

Mr. Rajesh K. Sheoran, Additional A.G., Haryana.

**DAYA CHAUDHARY, J.(ORAL)**

Through the present petition filed under Section 439 Cr. P.C., the petitioner seeks regular bail in case FIR No.475, dated 01.11.2014, registered under Sections 346, 364, 302, 216, 201, 120-B of IPC & 25/ 54/ 59 of the Arms Act at Police Station Kharkhoda, District Sonipat.

Learned counsel for the petitioner submits that petitioner has falsely been implicated only on the basis of disclosure statement. He is not connected with the alleged offence in any manner and no evidence was collected. The bail application filed by petitioner was dismissed only on the ground that recovery of two 9mm empty cartridges has been effected from him but it could not be connected with the petitioner as dead body has not been recovered till date. Learned counsel also submits that petitioner is in custody since 02.11.2014 and co-accused Jitender has been released on regular bail. He also submits that there are total twenty seven

Pws and only seven have been examined and no purpose would be served to keep the petitioner behind the bars.

Learned State counsel has not disputed the stage of the trial and also the fact with regard to release of co-accused on regular bail as well as custody of the petitioner but opposes the bail on the ground of seriousness of offence.

Heard arguments of learned counsel for the petitioner and have perused the documents available on file.

By considering that the petitioner is in custody since 02.11.2014; there are total twenty seven witnesses and only seven have been examined; co-accused Jitender has been released on bail and that there is no specific allegation which connect the petitioner with the alleged offence, the petition is allowed. The petitioner namely Pawan @ Pona @ Mona is directed to be released on regular bail on furnishing bail/surety bonds to the satisfaction of the trial Court.

**16.05.2018**  
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**(DAYA CHAUDHARY)**  
**JUDGE**

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |